

Appl. No. 10/820,132

Reply to Office Action of Aug. 19, 2008

REMARKS

The August 19, 2008 Office Action finally rejected all claims pending, 1-10 and 13-14, in the application. The present Amendment and Response amends claims 1 and 3 and adds new claims 21 and 22 for the Examiner's consideration. No new matter is being presented. The Examiner is respectfully requested to enter the amendments and review Applicant's comments.

In the Claims**Telephone Interview**

On October 20, 2008, the Examiner and Applicant's Attorney discussed the finality of the August 19, 2008 Action. In particular, the Examiner finally rejected all claims pending under Section 102 and/or 103 in view of a newly cited reference, Wood et al., U.S. Patent No. 6,091,808. The Examiner justifies the finality of the Action because of the amendments Applicant made to the claims in previous response. Applicant acknowledges that any amendment after final may not be entered as a matter of right and therefore, Applicant's ability to present a comprehensive reply to the outstanding Action is limited. Accordingly, Applicant respectfully requests the Examiner reconsider the finality of the August 19, 2008 Action.

Claim Amendments

Applicant amends claims 1 and 3 herein to more clearly define the inventive subject matter. Additionally, claims 21 and 22 are added to further define the amendments made to claims 1 and 3. Support for the claim amendments can be found in the originally filed specification and more particularly, for example, on page 7 at lines 9-12.

Primary Reference**Wood et al. Reference**

Claims, 1, 3-6, 9-10 and 13-14 stand rejected under 35 U.S.C. §102(b) as being anticipated by Wood et al., U.S. Patent No. 6,091,808 issued July 18, 2000. For the following reasons, Applicant respectfully traverses these rejections.

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In general, Wood discloses a call management method via a computer network (web) facility which can be remotely accessed by subscribers. The subscriber is able to dial and receive calls at a remote location.

Applicant's claims recite an authentication for the remote user that includes providing the user's location information comprising a type of call answer service available at the remote location. As disclosed in the original specification at page 7, the user indicates the type of service required when logging-in and authenticating with the home ICP (through the Personal Assistant "PA"). As further disclosed, the type of service is the telephone access available at the remote location and can include (a) by a direct dial number, (b) through a conventional auto-attendant, and (c) through a human receptionist. In other words, when the user logs in to notify the PA of the user's location, the user provides the PA with the remote location's type of call answer service available. This information is needed so the system can prepare for the type of service at the remote location for incoming and receiving calls (as further explained, for example, on page 7 of Applicant's specification).

In contrast, Wood fails to teach, suggest or disclose receiving the type of call answer service at the remote location during the user's authentication. The Examiner recites Wood at column 2, lines 26-27; column 10, lines 41-44; and column 6, lines 1-10 for disclosing the authentication as recited in Applicant's claims (prior to this amendment). The cited passage merely states that "logged information relating to telephone communications to and/or from the calling telephone number" is provided in the telephone number information from the network to the remote display. As the Examiner can certainly appreciate, "logged information" is much different than "logging in" to authenticate a remote user.

Moreover, Applicant's claims recite that the remote location continues to connect to calls for as long as the user remains authenticated to the PA. In contrast, Wood fails to teach, suggest or disclose this limitation. Rather, Wood discloses that that incoming telephone calls to the telephone 10 are entered into the call log for subscriber. This takes place whether or not the subscriber's web browser is active. (Column 7, lines 50-53) Thus, it is clear that whether or not the user remains authenticated to the PA is not a requirement for Wood. In fact, Wood discloses that

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calls are still available to the telephone even if the user is not logged in. This is in direct contrast with Applicant's claims as recited (and even prior to this amendment).

Accordingly, Applicant respectfully requests the withdrawal of the Section 102 rejections.

Secondary References

All remaining pending claims, 2, 7 and 8, stand rejected under 35 U.S.C. §103 as being unpatentable over Wood in view of various secondary references (claim 2 - Polychronidis et al., US Pub 2003/0018704; claim 7-Robinson et al., US Patent 5,533,102; and claim 8-Robinson in view of Miner et al., US Patent 5,652,789).

Claims 2, 7 and 8 depend from independent claims 1 and 3. For the reasons stated above, primary reference Wood fails to teach and every element of Applicant's claims as recited and by virtue of their dependency from claims 1 and 3, the remaining claims therefore are patentably distinct over primary reference Wood. Accordingly, Applicant respectfully traverses the Section 103 rejections and requests withdrawal of the same.

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CONCLUSION

Applicant requests the withdrawal of the Section 102 and 103 rejections to all remaining claims pending in the application. Should the Examiner wish to discuss any of the above in greater detail or deem that further amendments should be made to improve the application, then the Examiner is invited to contact the undersigned at the Examiner's convenience. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
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Date: 12/18/08

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